

# **EXHIBIT 2**

LISA M. HOLLIDAY, Ph.D. - APRIL 13, 2018  
IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

SEAN SMITH and CRYSTAL SMITH,	)	
	)	
Plaintiffs,	)	
	)	
VS.	)	No. 5:17-CV-1302D
	)	
CSAA FIRE AND CASUALTY	)	
INSURANCE COMPANY,	)	
	)	
Defendant.	)	

\* \* \* \* \*

DEPOSITION OF LISA M. HOLLIDAY, PH.D.,  
TAKEN ON BEHALF OF THE PLAINTIFFS  
ON APRIL 13, 2018  
IN OKLAHOMA CITY, OKLAHOMA  
COMMENCING AT 9:53 A.M.

\* \* \* \* \*

REPORTED BY: KORTNEY V. HOUTS, CSR

1           **A**     Correct.

2           **Q**     What are those conditions?

3           **A**     It has -- the main part of the house has a  
4     crawlspace, and then there was an addition built on  
5     that had a slab on grade.

6           **Q**     And what would you call the crawlspace  
7     foundation?

8           **A**     A crawlspace foundation.

9           **Q**     Conventional?

10          **A**     No. It's probably nonconventional now.

11          **Q**     Based on when it was built?

12          **A**     It was the norm when it was built. Yes.

13          **Q**     And it's your understanding that's in the  
14     1920s, '30s?

15          **A**     Something like that.

16          **Q**     Okay. When you're investigating these claims  
17     and you're making a determination of cause of damage,  
18     as a structural engineer, one of the things you want to  
19     look at is the structure. Is that correct?

20          **A**     Important pieces of the structure for sure.

21          **Q**     Yeah. And those --

22          **A**     Not -- I mean, you can -- you can't look at  
23     the entire structure, but you want to look at certain  
24     important pieces.

25          **Q**     You want to make sure that you don't -- and

1 like you said, you want to make sure that you're  
2 thorough, because these are important investigations.  
3 Correct?

4 A Correct.

5 Q And you -- you wouldn't want to intentionally  
6 not gather data or leave data out, would you?

7 A Well, you certainly can't -- I mean, you  
8 could document all kinds of crazy stuff that -- but you  
9 have to look at what's important first.

10 Q And what's important is the structural  
11 components of --

12 A Is the places where -- yeah. I mean, if  
13 you're looking for earthquake damage, you want to look  
14 at the places where earthquake damage happens.

15 Q Okay.

16 A So yeah. The scope is not to thoroughly  
17 examine the structure and do a thorough structural  
18 examination, because that would be beyond the scope.

19 Q What is the scope?

20 A The scope was to see if there was earthquake  
21 damage to the house.

22 Q Did you look at any of -- did you go in the  
23 attic in this home?

24 A We did not.

25 Q Do you know where the attic space is?

1           **A**     I saw the opening.

2           **Q**     Where is the opening at?

3           **A**     It was inside the laundry room.

4           **Q**     Okay. What about the crawlspace? You didn't  
5 go in the crawlspace, did you?

6           **A**     No, we didn't.

7           **Q**     Have you been?

8           **A**     We couldn't, actually.

9           **Q**     Why do you say that?

10          **A**     They didn't have an opening.

11          **Q**     Really?

12          **A**     (Witness nods head affirmatively.)

13          **Q**     If you saw something that was damaged -- for  
14 example, on the roof, if you saw bowing or waving and  
15 they said that was caused by the earthquake, would you  
16 have gone in the attic?

17          **A**     Yeah.

18          **Q**     What if you had seen cracks on the walls and  
19 there's all of these splintering cracks on the walls?  
20 Wouldn't that be something to look at, is maybe we want  
21 to look behind there to determine whether or not those  
22 studs are split? Is that something you would do?

23          **A**     I can't imagine studs being split in your  
24 particular example. But I would say if there was  
25 something that led me to go in the attic, I would go in

1 the attic.

2 Q What about behind the walls?

3 A I generally don't tear up people's houses.

4 Q But, I mean, if you've got -- if you have to  
5 make a determination --

6 A We would -- we would probably leave, have a  
7 meeting, you know, talk to the client about we're going  
8 to have to do some destructive testing. Our  
9 investigations are generally limited to nondestructive  
10 testing. But on occasion, we have had to do  
11 destructive testing, and we -- that's not a call we  
12 make on the spot.

13 Q Is that -- but that's something that -- if  
14 you have to gather that type of data, is that something  
15 that you'd be willing to do to make sure you got the  
16 right conclusion?

17 A Yes.

18 Q Because you --

19 A And have.

20 Q And so for Rimkus, you have done that.  
21 You've opened walls and that kind of thing?

22 A I have.

23 Q Do you recall that in the living room one of  
24 the joists had fell and you had to walk over a hump?

25 A In the living room, the joist had failed?

1           **A**     We were not doing a full, thorough structural  
2     evaluation of the house.

3           **Q**     If you were walking through the -- well, if  
4     you're walking through the living room and you walked  
5     over a fallen floor joist and there was a trough in the  
6     floor, is that something that you would have wanted to  
7     investigate?

8           **A**     Probably just -- yes. But it seems like --  
9     if there would have been something that dramatic, yeah,  
10    it seems like they would have called an engineer  
11    themselves.

12          **Q**     If there was something --

13          **A**     If there was -- if I was a homeowner and  
14    there was a gaping hole in my floor, I would call an  
15    engineer.

16          **Q**     If there was a -- if there was something like  
17    that when you arrived at the Smiths', is that something  
18    you would have investigated in the crawlspace?

19          **A**     Yeah.

20          **Q**     Would that be -- would that be indicative of  
21    earthquake damage in that home?

22          **A**     No.

23          **Q**     You don't think so?

24          **A**     Not -- not the first signs of damage.

25          **Q**     Again, this would be something where you'd

1           **Q**     Sure. And when you're looking at these USDA  
2 maps, is it your understanding that these maps have  
3 disclaimers stating that they're no substitute for  
4 site-specific tests?

5           **A**     I believe they do have statements like that.

6           **Q**     And that's because the soil can vary from  
7 site to site, even though the overall area has one type  
8 of soil. Correct?

9           **A**     Correct.

10          **Q**     And that's not uncommon anywhere in the  
11 world. Right?

12          **A**     Correct.

13          **Q**     And so your understanding is that -- you  
14 deemed this soil to be this silty clay with this  
15 plasticity based on the USDA map, but not based on a  
16 test that you did determining the type of soil?

17          **A**     Correct.

18          **Q**     And because the USDA cites that these are  
19 just kind of generalizations, without a soil test, we  
20 don't know exactly what type of soil is under that  
21 house, do we?

22          **A**     Correct.

23          **Q**     Did you all discuss doing a soil --

24          **A**     We did not.

25          **Q**     -- sample? Is that something that you have



1 ever done?

2       **A**     It's generally not done on residential.

3       **Q**     But on commercial claims you do?

4       **A**     No. On residential construction. In  
5 general, for residential construction, it's not the  
6 norm.

7       **Q**     What about in Rimkus investigations? Have  
8 you ever tested the soil?

9       **A**     I have not.

10       **Q**    Do you know if Rimkus would allow you to test  
11 the soil if you requested it?

12       **A**    I -- I don't see why not, if it was  
13 necessary.

14       **Q**    Do you know if -- is that a tool that you  
15 consider in your tool belt if you deem it necessary, is  
16 to test the soil?

17       **A**    I don't think it's out of the realm of  
18 possibility, yeah, if it's -- if it's warranted.

19       **Q**    Okay. No one's ever told you, don't ever  
20 test the soil?

21       **A**    Right. No one's ever told me that.

22       **Q**    Okay. And going forward -- well, if a home  
23 is sitting on soil that's likely to shift naturally,  
24 does that make it more likely to shift as a result of  
25 an earthquake?

1           **A**     No.

2           **Q**     Okay. Has anyone ever told you at Rimkus  
3     that you should test the soil?

4           **A**     No.

5           **Q**     Is there a reason you didn't test the soil?

6           **A**     Generally, you don't test the soil for  
7     residential construction projects. It's just not the  
8     norm.

9           **Q**     What if you're doing forensic investigations  
10    where you base your conclusion on the type of soil? In  
11    that instance, do you feel it's necessary to site test  
12    the soil?

13          **A**     I don't think so. No.

14          **Q**     What conversations did you have with  
15    Mr. France when you were on-site?

16          **A**     We had conversations about whether we thought  
17    this was earthquake damage.

18          **Q**     Can you think of anything specifically?

19          **A**     No. Not specifically. You know, at first,  
20    when we first got to the site, we didn't talk at all,  
21    and we kind of independently looked at things and then  
22    came together and said, you know, what do you think.

23          **Q**     At some point in time, Tim left you, and  
24    you --

25          **A**     No.

1           Q     -- guys separated?

2           A     No. We were there together the whole time.

3           Q     Did Tim go into the attic?

4           A     No.

5           Q     Did Tim go into the crawlspace?

6           A     No one could go into the crawlspace.

7           Q     If I told you I had been in the crawlspace,  
8 do you have any reason to believe that's impossible?

9           A     Then I believe you took something apart to  
10 get there.

11          Q     Do you --

12          A     Because the homeowner told us -- based on  
13 what the homeowner told us, there was no way to get  
14 into the crawlspace.

15          Q     But, regardless, you didn't feel like it was  
16 necessary to go in there for you to come to a  
17 conclusion that this was not earthquake damage?

18          A     Correct. If I had felt it was necessary to  
19 go in the crawlspace, we would have done something to  
20 get in the crawlspace.

21          Q     Why did you pull the carpet back in the back  
22 bedroom?

23          A     Because we felt the -- there was a big hump  
24 in the floor there. There was a big discontinuity.

25          Q     In the son's bedroom?